

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

O'NEAL STEEL, INC., ET AL.,

Plaintiffs,

VS.

WORLDWIDE STEEL

UNLIMITED, INC., ET AL.,

Defendants.

CIVIL ACTION NO.:

2:11-CV-00137-KOB

AMENDED FINAL JUDGMENT

This matter comes before the court on Plaintiffs O’Neal Steel, Inc. and Leeco Steel, LLC’s Motion to amend Judgment Pursuant to Federal Rule of Civil Procedure 59(e) to Comply with Alabama Punitive Damages Cap. (Doc. 213). Having received no opposition from any Defendant and finding the motion to be in accordance with Alabama Code § 6-11-21(a), the court GRANTS the motion and ENTERS the following Amended Final Judgment:

This case was tried to a jury from June 9, 2014 to June 25, 2014. The jury returned its verdict on June 25, 2014 in which it returned the following verdicts:

As to Count One, RICO, the jury found in favor of Plaintiffs O’Neal Steel, Inc. and Leeco Steel, LLC as against Defendants David Chatkin and Ryan Chatkin; the jury found in favor of Defendant Von Argyle.

As to Count Two, RICO Conspiracy, the jury found in favor of Plaintiffs O’Neal Steel, Inc. and Leeco Steel, LLC as against Defendants David Chatkin and Ryan Chatkin; the jury found in favor of Defendant Von Argyle.

As to Count Four, Wantonness, the jury found in favor of Plaintiffs O'Neal Steel, Inc. and Leeco Steel, LLC as against Defendants David Chatkin, Ryan Chatkin, and Von Argyle.

As to Count Five, Conspiracy to Act Wantonly, the jury found in favor of Plaintiffs O'Neal Steel, Inc. and Leeco Steel, LLC as against Defendants David Chatkin, Ryan Chatkin, and Von Argyle.

As to Count One, RICO, and Count Two, RICO Conspiracy, and pursuant to 18 U.S.C. § 1964(c), the court ENTERS JUDGMENT against Defendants David Chatkin and Ryan Chatkin, jointly and severally, and jointly and severally with Defendants General Purpose Steel, Inc., Worldwide Steel, Unlimited, Inc., Lance Chatkin, and Bruce Adelstein, against whom the court previously entered judgment as a matter of law (doc. 205), and

(1) in favor of Plaintiff O'Neal Steel, Inc. in the amount of \$1,258,655.49 as compensatory damages and TREBLES those damages for a total judgment in favor of Plaintiff O'Neal Steel, Inc. of \$3,775,966.47 on each of Counts One and Two; and

(2) in favor of Plaintiff Leeco Steel, LLC in the amount of \$4,408,776.10 as compensatory damages and TREBLES those damages for a total judgment in favor of Plaintiff Leeco Steel, LLC of \$13,226,328.30 on each of Counts One and Two.

As to Count Four, Wantonness, and Count Five, Conspiracy to Act Wantonly, the court ENTERS JUDGMENT against Defendants David Chatkin, Ryan Chatkin, and Von Argyle, jointly and severally, and jointly and severally with Defendants General Purpose Steel, Inc., Worldwide Steel, Unlimited, Inc., Lance Chatkin, and Bruce Adelstein, against whom the court previously entered judgment as a matter of law (doc. 205), and in favor of Plaintiff O'Neal Steel, Inc. in the stipulated amount of \$1,258,655.49 and in favor of Plaintiff Leeco Steel, LLC in the stipulated amount of \$4,408,776.10 as compensatory damages on each of Counts Three, Four,

and Five.¹

The jury also awarded punitive damages on Count Three as to Defendants General Purpose Steel Inc., Worldwide Steel Unlimited, Inc., Lance Chatkin, and Bruce Adelstein, as well as on Counts Four and Five as to all Defendants.

As to Defendant General Purpose Steel, Inc., the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$660,000.00; and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$2,340,000.00. The statutory cap on punitive damages does not affect this award because it does not exceed three times the compensatory damages.

As to Defendant Worldwide Steel Unlimited, Inc., the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$660,000.00; and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$2,340,000.00. The statutory cap on punitive damages does not affect this award because it does not exceed three times the compensatory damages.

As to Defendant Lance Chatkin, the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$6,160,000.00, and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$21,840,000.00, which exceed three times the compensatory damages award. The court applies the statutory cap on punitive damages established by Alabama Code § 6-11-21 and reduces the award to Plaintiff O'Neal Steel, Inc. to \$3,775,966.47 and reduces the award to Plaintiff Leeco Steel, LLC to \$13,226,328.30 as punitive damages against Defendant Lance Chatkin.

As to Defendant Bruce Adelstein, the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$6,160,000.00, and awarded Plaintiff Leeco Steel, LLC punitive

¹ However, Plaintiffs may only recover the compensatory damages awarded for both the RICO claims and the state law claims one time from all Defendants jointly and severally.

damages in the amount of \$21,840,000.00, which exceed three times the compensatory damages award. The court applies the statutory cap on punitive damages established by Alabama Code § 6-11-21 and reduces the award to Plaintiff O'Neal Steel, Inc. to \$3,775,966.47 and reduces the award to Plaintiff Leeco Steel, LLC to \$13,226,328.30 as punitive damages against Defendant Bruce Adelstein.

As to Defendant David Chatkin, the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$6,160,000.00, and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$21,840,000.00, which exceed three times the compensatory damages award. The court applies the statutory cap on punitive damages established by Alabama Code § 6-11-21 and reduces the award to Plaintiff O'Neal Steel, Inc. to \$3,775,966.47 and reduces the award to Plaintiff Leeco Steel, LLC to \$13,226,328.30 as punitive damages against Defendant David Chatkin.

As to Defendant Ryan Chatkin, the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$1,320,000.00; and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$4,680,000.00. The statutory cap on punitive damages does not affect this award because it does not exceed three times the compensatory damages.

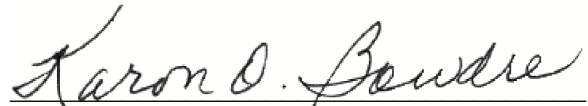
As to Defendant Von Argyle, the jury awarded Plaintiff O'Neal Steel, Inc. punitive damages in the amount of \$880,000.00; and awarded Plaintiff Leeco Steel, LLC punitive damages in the amount of \$3,120,000.00. The statutory cap on punitive damages does not affect this award because it does not exceed three times the compensatory damages.

The court ENTERS JUDGMENT against Defendants in the punitive damages amounts listed above, as modified by Alabama Code § 6-11-21.

The deadlines the court had previously entered for submitting a cost bill and any motion

for attorneys fees or prejudgment interest have now passed.

DONE and ORDERED this 22nd day of July, 2014.

A handwritten signature in cursive script, reading "Karon O. Bowdre", written over a horizontal line.

KARON OWEN BOWDRE

CHIEF UNITED STATES DISTRICT JUDGE